

REMARKS

Claims 1-12 are pending in this application. By the Office Action, claims 1-3 and 6-12 are withdrawn from consideration, and claims 4-5 are rejected under 35 U.S.C. §102 and §103, and for obviousness-type double patenting. By this Amendment, claim 4 is amended. Support for the amendments to claim 4 can be found in the specification as originally filed, such as in the Figures and original claims 4 and 5. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Chang in the January 27, 2010, personal interview. (Although the Interview Summary indicates that the interview was a telephone interview, it was, in fact, a personal interview.) Applicants' separate record of the substance of the interview is incorporated into the following remarks.

I. Rejections Under §102 and §103

Claims 4-5 are rejected under 35 U.S.C. §102(b) or, in the alternative, under 35 U.S.C. §103(a), over Yoshikawa. Applicants respectfully traverse the rejection.

By this Amendment, independent claim 4 is amended to recite a near infrared rays absorbing layer "consisting of" a transparent resin and a near infrared rays absorbing agent that absorbs near infrared rays, contained in the transparent resin, and a separate specific-wavelength-light absorbing layer that is laminated to the near infrared rays absorbing layer on the side opposite to the transparent substrate film and outside the near infrared rays absorbing layer "consisting of" an adhesive, and a coloring agent for color tone correction and optionally a coloring agent for color tone adjustment, contained in the adhesive. As agreed at the personal interview, these amendments distinguish over Yoshikawa, which at most only discloses a unitary adhesive layer that contains both a near infrared rays absorbing agent and a coloring agent for color tone correction. Col. 18, lines 64-67 and col. 11, lines 19-24.

Accordingly, Yoshikawa does not disclose and would not have rendered obvious these features of the claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.

II. Obviousness-Type Double Patenting Rejections

The Office Action provisionally rejects claims 4-5 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of co-pending Application No. 10/562,424, and over claims 1-4 of co-pending Application No. 10/569,512. These provisional rejections are respectfully traversed.

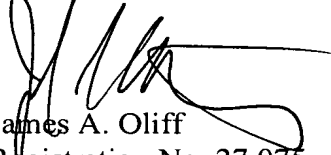
Without conceding the propriety of these rejections, an executed Terminal Disclaimer is submitted herewith. Accordingly, the rejections are overcome and should be withdrawn. Reconsideration and withdrawal of the rejections are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JSA

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